

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

Appl. No. : **09/351,086**

Applicant(s) : **Nevenka Dimotrova**

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Examiner : **Bui, Kieu Oanh T**

Atty. Docket : **PHA 23,716**

Title: **METHOD AND APPARATUS FOR LINKING A VIDEO SEGMENT TO
ANOTHER SEGMENT OR INFORMATION SOURCE**

Pre-Appeal Brief Request for Review

Mail Stop **AF**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the final Office action of 20 February 2007, the applicant requests review of the final rejection in the above referenced application. No amendments are being filed with this request. This paper is being filed with a notice of appeal.

This review is requested for the reason(s) stated on the attached sheet(s).

REMARKS

The examiner's omissions of one or more essential elements needed for a *prima facie* rejection:

"To establish a *prima facie* case of obviousness ... the prior art reference (or references when combined) ***must teach or suggest all the claim limitations***... If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness." MPEP 2142.

Claim 1, upon which claims 2, 4-17, and 26-27 depend, claims a method for processing video that includes:

displaying a sequence of video segments at a display of a user,
extracting a feature from one or more video segments of the sequence,
determining an association between the feature and at least one
additional information source also including that feature; and
defining a link between the feature and the at least one additional
information source to facilitate a display of information from the additional information
source based at least in part on a selection by the user of the feature while the one or
more video segments are displayed to the user.

The Examiner has rejected claim 1 under 35 U.S.C. 103(a) over Hjelsvold et al. (USP 6,546,555, hereinafter Hjelsvold) and Nagasaka et al. (USP 6,400,890, hereinafter Nagasaka).

Claims 18-20 include similar limitations, and the Examiner has based the rejection of these claims on the rejection of claim 1.

As recited in claim 1, consistent with its use in the applicant's specification, the claimed "feature" is user-selectable (i.e., claim 1 recites "a selection by the user of the feature").

Neither Hjelsvold nor Nagasaka teaches or suggests extracting a user-selectable feature from one or more video segments of a sequence being displayed and determining an association between the feature and an additional information source also including that feature.

The Examiner acknowledges that Hjelsvold does not teach extracting a feature from one or more video segments of a sequence being displayed and determining an association between the feature and an additional information source, and asserts

that Nagasaka provides this teaching. The applicant respectfully disagrees with this assertion, and as such, respectfully maintains that the Examiner has failed to establish a *prima facie* case to support this rejection.

Nagasaka does not teach extracting a user-selectable feature from video segments at a display of the user. Nagasaka also does not teach determining an association between the feature and an additional information source.

Nagasaka teaches a system and method for characterizing video sequences, so that repeating sequences, such as a repeated commercial, can be identified and optionally skipped (Nagasaka, column 9, lines 16-22). The sequence matching can also be applied to replace repeated segments in a recording, such as the opening sequence of each episode of a weekly or daily program recorded on a DVR, with a pointer to a single copy of the segment, to reduce storage requirements (Nagasaka, column 9, lines 5-16).

Nagasaka characterizes each video segment by determining a feature that characterizes each frame of the sequence, and encoding a sequence of these features ("feature table" of Nagasaka's FIG. 3). To identify a repeated video sequence, the sequence of features of two video sequences are compared (Nagasaka, FIGs. 4 and 5; column 6, lines 37-61).

As taught by Nagasaka, the feature of each frame may be, for example, the average color of each frame, a pattern or texture of the frame, and so on (Nagasaka, column 5, lines 40-47). None of these so-called frame features are user-selectable. Of particular note, Nagasaka specifically teaches that a single feature value is assigned to each frame, wherein the determined feature value is quantized to a nominal standard value:

"The object of this process is to compress queried images to a minimum quantity of information which can represent the features thereof so as to store more types of queried images and compare them in real time at one time... the time sequential array of obtained features is collected for each segment within the allowable variation range and one feature is represented in each segment. A' or A" shown in the drawing indicates that assuming A as a standard, the absolute value of the difference of the feature value of A' or A" from that of A is less than a specific threshold value. To each frame of inputted images, frame numbers are sequentially assigned such as t_1 , t_2 , t_3 , --, and the frame numbers t_i , t_j , t_k , ---of the top frame of each segment and the

features A, B, C, - - - are paired up, and a list is generated as a feature table." (Nagasaka, column 5, lines 36-57).

That is, as clearly indicated above, Nagasaka does not teach or suggest a feature that is selectable by a user, as specifically claimed in claim 1.

Further, even assuming in argument, that Nagasaka's frame feature can be considered to correspond to the claimed user-selectable feature, Nagasaka clearly does not teach determining an association between the feature and an additional information source.

Nagasaka teaches creating a sequence of features and using this sequence to determine associations between sequences of corresponding video frames. In Nagasaka's example of the feature being an average color of the frame, wherein a sequence may be encoded as blue-blue-blue-green-red-green-blue-blue, Nagasaka does not determine an association between the feature "blue" and an additional information source, because without the particular sequence, the fact that a particular frame has an average color of blue is virtually meaningless.

Because Nagasaka does not teach or suggest extracting a feature that can subsequently be selected by a user from one or more video segments of the sequence, as specifically claimed in claim 1, and because Nagasaka does not teach or suggest determining an association between the feature and at least one additional information source also including that feature, as also claimed in claim 1, the applicant respectfully maintains that the Examiner has failed to provide a *prima facie* case to support the rejection of claims 1-2, 4-20, and 26-20. Accordingly, each of the rejections in the final Office action is unfounded, per MPEP 2142, and should be withdrawn.

Respectfully submitted,

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